



3722

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PTO/SB/021 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/853,568
		Filing Date	August 3, 2001
		First Named Inventor	Catherine Shoemaker
		Group Art Unit	3722
		Examiner Name	Monica Smith Carter
Total Number of Pages in This Submission	4	Attorney Docket Number	1960-00100

**ENCLOSURES (check all that apply)**

- ☒ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment (for an application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

1. Summary of Interview on October 1, 2002
2. Postcard

Remarks

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Or Individual Name	Jonathan Pierce Conley, Rose & Taven, P.C., 600 Travis, Suite 7100, Houston, Texas 77002
Signature	
Date	November 27, 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: November 27, 2002.

Typed or Printed Name	Linda Baker	Signature		Date	November 27, 2002
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# FEE TRANSMITTAL

## For FY 2002

Patent fees are subject to annual revision.

### Complete if Known

Application Number 09/853,568  
 Filing Date August 3, 2001  
 First Named Inventor Catherine Shoemaker  
 Examiner Name Monica Smith Carter  
 Group Art Unit 3722  
 Attorney Docket No. 1960-00100

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TOTAL AMOUNT OF PAYMENT \$ 0

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:  
 Deposit Account Number: 03-2769  
 Deposit Account Name: Conley, Rose & Tayon, P.C.  
☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:  
☐ Check ☐ Credit Card ☐ Money Order ☐ Other Order

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	\$
106 330	206 165	Design filing fee	\$
107 510	207 255	Plant filing fee	\$
108 740	208 370	Reissue filing fee	\$
114 160	214 80	Provisional filing fee	\$

SUBTOTAL (1) \$ 0.00

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
19	- 20** = 0	x 9.00	= \$0.00
Independent Claims	5	3** = 2	x 42.00 = \$84.00
Multiple Dependent Claims		280.00	= \$00.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent Claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$0.00

\*\* or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

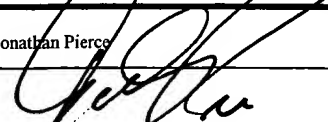
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	\$
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	\$
139 130	139 130	Non-English specification	\$
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	\$
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	\$
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	\$
115 110	215 55	Extension for reply within first month	\$
116 400	216 200	Extension for reply within second month	\$
117 920	217 460	Extension for reply within third month	\$
118 1,440	218 720	Extension for reply within fourth month	\$
128 1,960	228 980	Extension for reply within fifth month	\$
119 320	219 160	Notice of Appeal	\$
120 320	220 160	Filing a brief in support of an appeal	\$
121 280	221 140	Request for oral hearing	\$
138 1,510	138 1,510	Petition to institute a public use proceeding	\$
140 110	240 55	Petition to revive - unavoidable	\$
141 1,280	241 640	Petition to revive - unintentional	\$
142 1,280	242 640	Utility issue fee (or reissue)	\$
143 460	243 230	Design issue fee	\$
144 620	244 310	Plant issue fee	\$
122 130	122 130	Petitions to the Commissioner	\$
123 50	123 50	Petitions related to provisional applications	\$
126 180	126 180	Submission of Information Disclosure Stmt	\$
581 40	581 40	Recording each patent assignment per property (times number of properties)	\$
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	\$
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	\$
179 740	279 370	Request for Continued Examination (RCE)	\$
169 900	169 900	Request for expedited examination of a design application	\$
Other fee (specify)			\$

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$00.00

### SUBMITTED BY

### Complete (if applicable)

Name (Print/Type)	Jonathan Pierce	Registration No. (Attorney/Agent)	42,073	Telephone	(713) 238-8000
Signature		Date	November 27, 2002		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: CATHERINE §  
SHOEMAKER §  
§  
SERIAL NO.: 09/853,568 §  
§  
FILED: May 11, 2001 §  
§  
FOR: Method and Apparatus §  
for making Medicine Container §

GROUP ART UNIT: 3722

EXAMINER:  
Monica Smith Carter

#101 Keller  
12/5/02  
Egmy  
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TECHNOLOGY CENTER R3700

**SUMMARY OF INTERVIEW ON OCTOBER 1, 2002**

Assistant Commissioner for Patents  
Washington, D. C. 20231

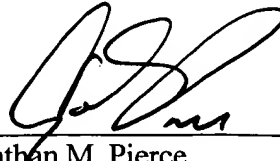
Atty. Dkt. No.: 1960-00100  
Date: November 27, 2002

Sir:

On October 1, 2002, Applicant's representative, Jonathan Pierce, called Examiner Monica S. Carter in an attempt to put the application in condition for allowance. Mr. Pierce and Examiner Carter discussed U.S. Patent 5,261,702 issued to Mayfield ("*Mayfield*"). During the interview, no particular claims were discussed; rather, a general discussion of *Mayfield* and Applicant's invention occurred.

Mr. Pierce asserted that *Mayfield* did not disclose a receptacle with a descriptive iconic label. Examiner Carter disagreed because in her opinion *Mayfield* discloses a medicine receptacle having a label with a descriptive icon as set forth in her July 2, 2002 office action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jonathan M. Pierce', is written over a horizontal line.

Jonathan M. Pierce  
Reg. No. 42,073  
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(713) 238-8000  
ATTORNEY FOR APPLICANT